

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EARTH ISLAND INSTITUTE, a non-profit corporation,

Plaintiff,

V.

UNITED STATES FOREST SERVICE,
an agency of the United States Department
of Agriculture,

Defendant.

CASE NO. 1:23-cv-01580-JLT-EPG

MOTION FOR A CONTINUANCE OF THE
OCTOBER 7, 2025, DEADLINE TO FINALIZE
THE SETTLEMENT AND FILE THE
DISMISSAL OF THIS CASE IN LIGHT OF
LAPSE OF APPROPRIATIONS; ORDER

The United States Forest Service hereby moves for a continuance of the October 7, 2025,

deadline to finalize the settlement and file the dismissal in the above-captioned case. The only remaining aspect of the settlement is payment of the settlement funds.

1. At the end of the day on September 30, 2025, the appropriations that have been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation or continuing resolution, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. That exception is not deemed to include most civil cases.

3. Undersigned counsel for the Department of Justice therefore requests a continuance of the October 7, 2025, deadline to finalize the settlement and file the dismissal in the above-captioned case until one month after Congress has restored appropriations to the Department.

4. Subsequent to restored appropriations, counsel may also need to request extensions on other impacted deadlines.

Therefore, the United States hereby moves for a continuance of the October 7, 2025, deadline to finalize the settlement and file the dismissal in the above-captioned case until one month after Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Good cause exists to grant this request as described herein.

Respectfully requested,

Dated: October 3, 2025

ERIC GRANT
United States Attorney

By: /s/ Kelli L. Taylor
KELLI L. TAYLOR
Assistant United States Attorney
Attorneys for Defendant

1 **ORDER**

2 Good cause being established, the United States Forest Service's motion for a continuance of the
3 October 7, 2025, deadline to finalize the settlement and file the dismissal in the above-captioned case is
4 **GRANTED.**

5 The United States Forest Service's deadline to finalize the settlement and file the dismissal is
6 hereby extended until one month after Department of Justice attorneys are permitted to resume their
7 usual civil litigation functions.

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9 **IT IS SO ORDERED.**

10 Dated: October 8, 2025

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13 UNITED STATES MAGISTRATE JUDGE

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